

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

IN RE:

HIGHLANDERS ALLOYS, LLC

Bankruptcy No. 3:05-bk-30516

Debtor.

Chapter 11

NOTICE OF REMOVAL

AND NOW, comes Highlanders Alloys, LLC, the Debtor in this Chapter 11 Case, by and through its Counsel, Robert O Lampl and John P. Lacher, and files this **NOTICE OF REMOVAL**:

1. Highlanders Alloys, LLC, the Debtor in this Chapter 11 Case, hereby removes to this Honorable Court the case of **Jacob Binson and Itzhak Bannai v. American Alloys, Inc., Industrial Development, Inc., Highlanders Alloys, LLC, Global Industrial Projects, LLC, Boris Bannai, individually and as a stockholder and/or officer in the foregoing corporations and All Crane Rental Corporation, an Ohio Corporation, Aggreko, Inc., a Louisiana Corporation, Air Equipment Sales and Service, Inc., a Kentucky Corporation,** No. 04-C-196 in the Circuit Court of Mason County, West Virginia ("the Civil Action").

2. Highlanders Alloys, LLC, the Debtor, is entitled to remove this Civil Action pursuant to 28 U.S.C. Section 1452 and F.R.B.P. Rule 9027, and is doing so in a timely manner in accordance with F.R.B.P. Rule 9027(a)(2).

3. The removed Civil Action is a core proceeding which involves a claims dispute, and, to the extent that there is liability on the part of the defendants, which is disputed, would involve Property of this Estate. See: 28 U.S.C. Section 157; 11 U.S.C. Section 541; and

Bd. Of Trustee v. Foodtown, Inc., 296 F.3d 164, 2002 U.S. App. Lexis 14402, 48 Collier Bankr. Cas. 2d (MB) 1007, 28 Employee Benefits Cas. (BNA) 1641 (3d Cir. N.J. 2002).

4. In compliance with F.R.B.P. Rule 9027 (a)(1), copies of the pleadings filed in the removed Civil Action are attached hereto as **Exhibit A**.

Respectfully Submitted

/s/ ROBERT O LAMPL
ROBERT O LAMPL
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JOHN P. LACHER
PA I.D. #62297
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CERTIFICATE OF SERVICE

I, Robert O Lampl and John P. Lacher, hereby certify that on the 2nd day of June, 2005

I served a true and correct copy of the attached **NOTICE OF REMOVAL** upon the following:

Mark Ferguson
230 Capitol Street, Suite 300
Charleston, WV 25301

Gary Collias
122 Capitol Street, Suite 300
PO Box 70007
Charleston, WV 25301

R. Michael Shaw
R. Craig Tatterson
Shaw & Tatterson, L.C.
610 Main Street
PO Box 3
Point Pleasant, WV 25550

Bill Withers, Clerk
Court of Mason County
Mason County Courthouse
200 Sixth Street
Point Pleasant, WV 25550

Honorable David W. Nibert
Chief Judge
Mason County Courthouse
200 Sixth Street
Point Pleasant, WV 25550

Office of the US Trustee
300 Virginia Street, East, Room 2025
Charleston, WV 25301

/s/ ROBERT O LAMPL
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